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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,029	11/17/2000	Feng-Jing Chen	6200-0013	7055

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EXAMINER

KWON, BRIAN YONG S

ART UNIT	PAPER NUMBER
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1614

DATE MAILED: 07/01/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/716,029	CHEN ET AL.	
	Examiner	Art Unit	
	Brian S Kwon	1614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ^{Communication} ☒ The amendment filed on 04 February 2003 under 37 CFR 1.312 has been considered, and has been:
- a) ☐ entered.
 - b) ☐ entered as directed to matters of form not affecting the scope of the invention.
 - c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
 - d) ☒ disapproved. See explanation below.
 - e) ☐ entered in part. See explanation below.

See Continuation Sheet

ZORREH FAY
PRIMARY EXAMINER
GROUP 1200

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Continuation of 1 (e) Entered in part. See explanation: In communication filed on February 4, 2003, Applicants stated that Applicants never authorized that the words "Hydrophobic Drugs" in the original title would be changed to "Fenofibrate". Furthermore, applicants request that the Office correct the mistake.

Applicants are correct about giving no authorization to Examiner to change "Hydrophobic Drugs" to "Fenofibrate". However, the Examiner does not necessarily obtain an authorization from Applicants to change the title of the invention at the time of allowance. Where the title is not descriptive of the invention claimed, the examiner has an authority to change the title of the invention that is clearly indicative of the invention to which the claims are directed. Since the claiming subject matters in claims 5-12, 51, 54-65, 67-71 and 92-98 are directed to the pharmaceutical compositions comprising fenofibrate and the use of said fenofibrate composition, new title "Pharmaceutical compositions and dosage forms for administration of fenofibrate" is considered to be more descriptive about the claimed invention than the original title "Pharmaceutical compositions and dosage forms for administration of hydrophobic drugs". Therefore, the Examiner disapproves of applicants request for reinstating the original title of the invention.

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